

Minute Order Form (06/97)

**United States District Court, Northern District of Illinois**

Name of Assigned Judge or Magistrate Judge	James M. Rosenbaum	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	99 C 3430	DATE	3/2/2000
CASE TITLE	Ziarno vs. American National Red Cross,etal		

[In the following box (a) indicate the party filing the motion, e.g., plaintiff, defendant, 3rd party plaintiff, and (b) state briefly the nature of the motion being presented.]



**MOTION:**

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**DOCKET ENTRY:**

- (1) ☐ Filed motion of [ use listing in "Motion" box above.]
- (2) ☐ Brief in support of motion due \_\_\_\_\_.
- (3) ☐ Answer brief to motion due \_\_\_\_\_. Reply to answer brief due \_\_\_\_\_.
- (4) ☐ Ruling/Hearing on \_\_\_\_\_ set for \_\_\_\_\_ at \_\_\_\_\_.
- (5) ☐ Status hearing[held/continued to] [set for/re-set for] on \_\_\_\_\_ set for \_\_\_\_\_ at \_\_\_\_\_.
- (6) ☐ Pretrial conference[held/continued to] [set for/re-set for] on \_\_\_\_\_ set for \_\_\_\_\_ at \_\_\_\_\_.
- (7) ☐ Trial[set for/re-set for] on \_\_\_\_\_ at \_\_\_\_\_.
- (8) ☐ [Bench/Jury trial] [Hearing] held/continued to \_\_\_\_\_ at \_\_\_\_\_.
- (9) ☐ This case is dismissed [with/without] prejudice and without costs[by/agreement/pursuant to]  
☐ FRCP4(m) ☐ General Rule 21 ☐ FRCP41(a)(1) ☐ FRCP41(a)(2).
- (10) ☒ [Other docket entry] Telephone conference held. A one-day Markham hearing will be held on April 17, 2000 at 9:00 a.m., in Courtroom 1903, at the U.S. District Court in Chicago.

- (11) ☒ [For further detail see order attached to the original minute order.]

<input type="checkbox"/>	No notices required, advised in open court.	<div style="text-align: center;">  </div>	number of notices	<div style="text-align: center;"> <b>Document Number</b>   <span style="font-size: 2em;">70</span> </div>
<input type="checkbox"/>	No notices required.		<div style="text-align: center;"> <b>MAR 15 2000</b>  <small>date docketed</small> </div>	
<input checked="" type="checkbox"/>	Notices mailed by judge's staff.		<div style="text-align: center;">   <small>docketing deputy initials</small> </div>	
<input type="checkbox"/>	Notified counsel by telephone.		<div style="text-align: center;"> 3/2/2000  <small>date mailed notice</small> </div>	
<input type="checkbox"/>	Docketing to mail notices.		<div style="text-align: center;"> GL  <small>mailing deputy initials</small> </div>	
<input type="checkbox"/>	Mail AO 450 form.			
<input type="checkbox"/>	Copy to judge/magistrate judge.			
GL	courtroom deputy's initials	<div style="text-align: center;"> Date/time received in  central Clerk's Office </div>		

UNITED STATES DISTRICT COURT  
DISTRICT OF NORTHERN ILLINOIS  
99-CV-3430 (JMR)

Witold A. Ziarno )

v. )

ORDER

99C3430

The American National Red Cross; )  
The American Red Cross Chicago )  
Chapter; International Business )  
Machines Corp.; Cable News Network, )  
Inc.; International Federation of )  
Red Cross and Red Crescent )  
Societies; and International )  
Committee of the Red Cross )

**DOCKETED**  
**MAR 15 2000**

The Court held a telephonic conference in this case on March 2, 2000, to address scheduling matters relating to the upcoming Markman hearing. Based on the files, records, and proceedings herein, IT IS ORDERED that:

1. On or before March 8, 2000, the parties will provide the Court with a preliminary claim construction, listing those terms on which the parties have agreed to a construction, and those terms on which the parties disagree. The Court reserves the decision of which claims require construction.

2. On or before March 8, 2000, the parties will provide the Court with an agreed-upon schedule for the pre-hearing dates relating to the Markman hearing. The scheduled date for submission to the Court of Markman briefs shall not be later than April 1, 2000.

3. A one-day Markman hearing will be held in the United States District Court for the District of Northern Illinois located

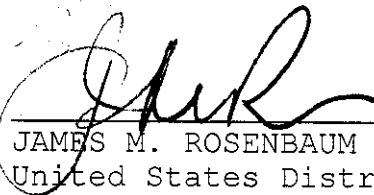
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in Chicago, Illinois, on April 17, 2000, at 9:00 a.m.

4. Defendant American Red Cross's motion in limine to bar plaintiff from calling a patent law expert at the Markman hearing is denied.

5. The Court reserves its ruling on defendant American Red Cross's motion for partial summary judgment.

Dated: March 3<sup>rd</sup>, 2000



JAMES M. ROSENBAUM  
United States District Judge

**MINUTES OF PROCEEDINGS:** (XX) Judge James M. Rosenbaum  
**MOTIONS** Reporter - Dawn Anderson  
**UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF ILLINOIS**

Witold Ziarno

Peter Meyer

Brian Rupp

PLAINTIFF(S)

PLAINTIFF(S) COUNSEL

VS. CIV. 99-3430

American National Red Cross

Robert Loeffler

Barry Bretschneider

IBM Corporation

Scott Bergs

Cable News Network

Kathleen Lyons

INTERPRETER

( ) **MOTION MINUTES**

**ORDER TO BE SUBMITTED BY:** (XX) COURT ( ) PLAINTIFF ( )  
**DEFENDANT**

PHONE CONFERENCE - Parties are to submit an agreed list of the terms of the Patent "not in dispute" and a list of Patent terms that need to be construed by Mid week of the week of March 6, 2000. American National Red Cross motion in limine to bar plaintiff from calling patent law expert at markman hearing - DENIED. MARKMAN hearing is scheduled for Monday, April 17, 2000 at 0900 a.m.

( ) Exhibits retained by Court. ( ) Exhibits returned to Counsel.  
( ) Bond continued. ( ) Deft. Remanded to custody of U.S. Marshal.

Dated: 3-2-00

  
Larry Lewis, Calendar Clerk to  
James M. Rosenbaum